

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

STATE OF MISSOURI

**v.
ADRIAN E. ROBERSON**

RESPONDENT,

APPELLANT.

DOCKET NUMBER WD78191

DATE: July 19, 2016

Appeal From:

Jackson County Circuit Court
The Honorable Bryan Round, Judge

Appellate Judges:

Special Division: Patricia Breckenridge, Special Judge, Presiding, Alok Ahuja, Chief Judge, and
Cynthia L. Martin, Judge

Attorneys:

Rachel S. Flaster, Jefferson City, MO, for respondent.

Susan L. Hogan, Kansas City, MO, for appellant.

MISSOURI APPELLATE COURT OPINION SUMMARY

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STATE OF MISSOURI,

RESPONDENT,

v.

ADRIAN E. ROBERSON,

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No. WD78191

Jackson County

Before Special Division: Patricia Breckenridge, Special Judge, Presiding, Alok Ahuja, Chief Judge, and Cynthia L. Martin, Judge

Adrian E. Roberson appeals from the trial court's judgment convicting him of one count of murder in the second degree, four counts of robbery in the first degree, and five counts of armed criminal action. Roberson asserts that the trial court abused its discretion in failing to grant a mistrial due to jury coercion that occurred after the trial court required the jury to resume deliberations after jury polling revealed that the initial verdict was not unanimous.

AFFIRM.

Special Division holds: A verdict is considered coerced when, under the totality of the circumstances, it appears that the trial court was virtually directing the jury to reach a verdict and implicating that it would hold a jury until a verdict was reached. A verdict is not coerced merely because a trial court fails to terminate jury deliberations that have become contentious.

Opinion by Cynthia L. Martin, Judge

July 19, 2016

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